

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Richard L. Cunningham
SERIAL NO.: 10/803,080 CONFIRMATION No.: 4170
FILING DATE: March 18, 2004
TITLE: MEDICAL DEVICE AND PROCEDURE SIMULATION
EXAMINER: Sim, Yong H.
ART UNIT: 2629

Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICANT'S COMMENTS ON REASONS FOR ALLOWANCE

These comments are responsive to the Notice of Allowance mailed on October 31, 2008, which sets forth the Examiner's statement of reasons for allowance.

Applicant gratefully acknowledges the indication of allowance of Claims (i.e. claims 1-4, 6-20, 25-27 and 30-33). Applicant respectfully urges that additional and/or alternative reasons for allowance may exist apart from the arguments or remarks made by the Examiner and/or the Applicant during the prosecution of the above captioned case and thus are not limited to those statements. These reasons may each be independently sufficient to establish the patentability of one or more of Claims (i.e. claims 1-4, 6-20, 25-27 and 30-33).

Applicant respectfully reserves the right to introduce, articulate, or otherwise comment on any such additional reasons for allowance as may be appropriate in any future proceedings concerning the one or more claimed embodiments.

Please charge any additional required fee or credit any overpayment to our deposit
account number 50-3557.

Respectfully submitted,

NIXON PEABODY LLP



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Dated: February 2, 2009

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